

Hudson proposal. The memo, which Boylan characterized as “talking points,” bore the subject line “Need for Minnesota Democratic Members to call White House to ask that Secretary Babbitt not approve plan of three Wisconsin tribes to acquire Hudson dog track . . . for gaming.” The memo argued that a “Democratic White House/Administration should not reward Republicans and punish Democrats which is what would happen here (Minnesota Tribes are overwhelmingly supportive of Democratic party and contributions show that to be the case.)”<sup>190</sup>

Most likely as a result of this lobbying campaign, Interior continued to receive comments from congressmen relating to the Hudson proposal.<sup>191</sup> On April 24, 1995, Rep. Toby Roth (R-Wis.) wrote to express his opposition to the casino proposal. On April 28, Rep. Gunderson once again wrote to the Secretary to express his opposition. In his letter, Gunderson asserted that “[s]ince Congress passed the IGRA in 1988, the Secretary of the Interior has never approved the

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<sup>190</sup>Bieging told investigators that he never discussed this point with any congressman or staff member, that he did not even recall having seen the point at the time he reviewed the memorandum, and that the point was “inappropriate.” OIC Interview of David Bieging, Feb. 4, 1999, at 4. Boylan, on the other hand, told investigators that she wrote the memorandum precisely to serve as “talking points” for Bieging in his Hill meetings about Hudson. OIC Interview of Virginia Boylan, Feb. 3, 1999, at 6. She did not know, however, whether he ever expressly made the point about contributions to any congressman or staff member.

<sup>191</sup>There was some debate within DOI as to whether elected federal representatives were “state and local officials” who must be consulted in connection with an off-reservation application under Section 20 of IGRA. Moreover, during IGMS’s consideration of the Hudson application, Rep. Steve Gunderson – the Republican who represented the district in which the dog track was located – requested in writing that DOI lawyers opine on whether it was appropriate to weigh in on the issue. Kevin Meisner, then a lawyer in the Solicitor’s Office, told investigators that he responded to this inquiry in the negative, although he reached this conclusion based on a general understanding of the statute, in the complete absence of any reported legislative or judicial precedents.